

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

DONNA G. MILES

PLAINTIFF

v.

No. 3:18-cv-107-DPM

BROADWAY HEALTH & REHAB, LLC

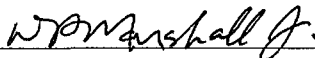
DEFENDANT

ORDER

1. Miles's motion for attorney's fees and costs, No 28, is granted as modified. The hourly rate, and time spent, are reasonable for this kind of work in northeast Arkansas. Three modifications. The Court awards the \$400 filing fee as costs. The out-of-pocket expenses are not within the narrow universe of costs. FED. R. CIV. P. 54(d); 28 U.S.C. § 1920. But they were necessary, directed by the Court, and are the kind of expense normally billed to clients. *Hernandez v. Bridgestone Americas Tire Operations, LLC*, 831 F.3d 940, 949-50 (8th Cir. 2016). The Court therefore awards them as part of the fees. Last, the Court declines to award any fees for the collection work, even though it is almost certain, as Miles says. The Court knows of no authority to award prospective fees.

2. Report of Miles's notification efforts, No 30, appreciated. The Court will enter default judgment for Miles.

So Ordered.



D.P. Marshall Jr.
United States District Judge

13 September 2019